

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

**DEFENDANT ROBERT ALLEN STANFORD'S MOTION FOR
ADDITIONAL PEREMPTORY CHALLENGES**

TO THE HONORABLE DAVID HITTNER, UNITED STATES DISTRICT
JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON
DIVISION:

COMES NOW Defendant Robert Allen Stanford (hereinafter, "Mr. Stanford"), by and through his attorney of record, Robert S. Bennett and respectfully moves the Court for an order allowing him additional peremptory challenges. Fed. R. Crim. P. 24(b). This motion is based, in part, upon the overwhelming level of markedly unfair, prejudicial, and inflammatory publicity that has been disseminated in connection with this case.

Succinctly put, an overwhelming level of media attention has been devoted to this case. Worse yet, nearly all of the underlying publicity has

displayed a palpable bias against Mr. Stanford. Viewed against that backdrop, there is an unquestioned need for the Court to make a concerted effort to address the highly prejudicial dynamics that have arisen. To that end, Mr. Stanford respectfully requests that he be afforded extra peremptory challenges.

Additional peremptory challenges are appropriate in the face of such prejudicial pretrial publicity. *See United States v. Blom*, 242 F.3d 799, 804 (8th Cir. 2001) (finding that the district court wisely employed prudent precautionary measures by, *inter alia*, increasing the number of peremptory challenges in order to heighten the odds of selecting an unbiased jury in the face of extensive pretrial publicity); *See also United States v. Rodriguez*, 581 F.3d 775, 785 (8th Cir. 2009).

October 4, 2010

Respectfully submitted,

/s/ Robert S. Bennett
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CERTIFICATE OF CONFERENCE

On September 30, 2010, undersigned counsel informed via email and by telephone AUSA Gregg Costa that this Motion would be filed. The government is opposed to this Motion.

/s/ Robert S. Bennett
ROBERT S. BENNETT

CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2010, I electronically filed the foregoing with the Clerk of the Court, which will send notification of such filing to all registered parties.

Respectfully submitted,

/s/ Robert S. Bennett
ROBERT S. BENNETT

UNITED STATES DISTRICT COURT
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ORDER GRANTING MOTION FOR ADDITIONAL PEREMPTORY CHALLENGES

Having considered Defendants' Motion for Additional Peremptory Challenges, the papers filed in response thereto, all other arguments on the motion, and the entire record in this case:

IT IS HEREBY ORDERED that Defendants' Motion for Additional Peremptory Challenges is **GRANTED**.

SIGNED at Houston, TX, this _____ day of October, 2010.

Honorable Judge DAVID HITTNER